

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Criminal Action No.
)	07-00275-01-CR-W-NKL
DANIEL WILLIAM TEAL,)	
)	
Defendant.)	

**MEMORANDUM OF MATTERS DISCUSSED AND
ACTION TAKEN AT PRETRIAL CONFERENCE**

Pursuant to the order of the Court en banc of the United States District Court for the Western District of Missouri, a pretrial conference was held in the above-entitled cause before me on March 5, 2008. Defendant Teal appeared in person and with appointed counsel Daniel Hobart. The United States of America appeared by Assistant United States Attorney Bruce Rhoades.

I. BACKGROUND

On August 7, 2007, an indictment was returned charging Defendant with one count of conspiracy to distribute methamphetamine, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A) and 846; one count of carrying a firearm during a drug trafficking crime, in violation of 18 U.S.C. §§ 924(c)(1)(A)(i); and one count of criminal forfeiture pursuant to 21 U.S.C. § 853.

The following matters were discussed and action taken during the pretrial conference:

II. TRIAL COUNSEL

Mr. Rhoades announced that he will be the trial counsel for the government. The case agent to be seated at counsel table will be either Jim Wright, Missouri Highway Patrol or Lee Hilty, Henry County Sheriff's Department.

Mr. Hobart announced that he will be the trial counsel for Defendant Teal.

III. OUTSTANDING MOTIONS

There are no pending motions in this case.

IV. TRIAL WITNESSES

Mr. Rhoades announced that the government intends to call thirty witnesses without stipulations or eleven witnesses with stipulations during the trial.

Mr. Hobart announced that Defendant Teal does not intend to call any witnesses during the trial. Defendant Teal may testify.

V. TRIAL EXHIBITS

Mr. Rhoades announced that the government will offer approximately fifty exhibits in evidence during the trial.

Mr. Hobart announced that Defendant Teal will not offer any exhibits in evidence during the trial.

VI. DEFENSES

Mr. Hobart announced that Defendant Teal will rely on the defense of general denial.

VII. POSSIBLE DISPOSITION

Mr. Hobart stated this case is probably not for trial.

VIII. STIPULATIONS

Stipulations are likely as to chain of custody, chemist's reports, prior felony conviction, firearm functioning, and expert reports.

IX. TRIAL TIME

Counsel were in agreement that this case will take three days to try.

X. EXHIBIT LIST, VOIR DIRE AND INSTRUCTIONS

The U. S. Magistrate Judge ordered:

That, in addition to the requirements of the Stipulations and Orders filed September 18, 2007, counsel for each party file and serve a list of exhibits he intends to offer in evidence at the trial of this case on the form entitled Exhibit Index and have all available exhibits premarked using the stickers provided by the Clerk of Court by March 5, 2008;

That counsel for each party file and serve requested jury voir dire examination questions by or before noon, Wednesday, March 12, 2008;

That counsel for each party file and serve, in accordance with the requirements of Local Rule 51.1, requested jury instructions by or before noon, Wednesday, March 12, 2008. Counsel are requested to provide proposed jury instructions in both hard copy form, as required by Local Rule 51.1, and, if available to counsel, 3 and 1/2 inch computer disk in a form compatible with WordPerfect 9.0, 10.0, or 11.0.

XI. UNUSUAL QUESTIONS OF LAW

No motions in limine are anticipated. There are no unusual questions of law.

XII. TRIAL SETTING

All counsel and the defendant were informed that this case will be listed for trial on the joint criminal jury trial docket which commences on March 17, 2008.

/s/ Robert E. Larsen
ROBERT E. LARSEN
United States Magistrate Judge

Kansas City, Missouri
March 5, 2008

cc: The Honorable Nanette K. Laughrey
Mr. Bruce Rhoades
Mr. Dan Hobart
Mr. Jeff Burkholder